

UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 22 2008

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PAUL W. FORNEY, RASHESH MODY
DAVE TRAN, PRAMOD THAZHICHAYIL,
VIJAY ANAND and KIMSON Q. NGUYEN

Application 09/955,473

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on April 2, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal.

Accordingly, the application is herewith being returned to the examiner.

The matter requiring attention prior to docketing is identified below.


A Reply Brief was filed On August 27, 2007. On November 27, 2007, a PTOL-90 was mailed considering and acknowledging the Reply Brief; however, the date cited as the date of receipt of the Reply Brief was November 11, 2007 . Correction is required for clarification of the record.

Accordingly, it is

ORDERED that the application is electronically returned to the examiner to vacate the PTOL-90 mailed November 27, 2007, to remain the consideration and acknowledgement of the Reply Brief filed August 27, 2008, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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By:


DALE M. SHAW
Chief Appeals Administrator
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